

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-60408-CIV-DIMITROULEAS

NATALIE STEVENSON on behalf of
herself and others similarly situated,

Plaintiff,

vs.

FUNNY TIME, INC, D/B/A GOLD
CLUB POMPANO, a Florida Profit
Corporation, and MICHAEL
TOMKOVICH, in his individual
Capacity,

Defendants.

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**OMNIBUS ORDER ADOPTING AND APPROVING REPORT AND
RECOMMENDATION OF MAGISTRATE JUDGE;
DENYING DEFENDANTS' MOTION TO COMPEL ARBITRATION;
GRANTING PLAINTIFF'S MOTION TO STAY PROCEEDINGS PENDING
RESOLUTION OF ARBITRATION PROCEEDINGS**

THIS CAUSE is before the Court upon Defendants' Amended Motion to Compel Arbitration and Dismiss Complaint [DE 24], Plaintiff's Motion to Stay Proceedings Pending Resolution of Arbitration Proceedings or in the Alternative Plaintiff's Response to Defendants' Motion to Dismiss [DE 26], and the August 22, 2024 Report and Recommendation of United States Magistrate Judge Patrick M. Hunt (the "Report") [DE 32]. The Court notes that no objections to the Report [DE 32] have been filed, and the time for filing such objections has passed. As no timely objections were filed, the Magistrate Judge's factual findings in the Report [DE 24] are hereby adopted and deemed incorporated into this opinion. *LoConte v. Dugger*, 847 F.2d 745, 749-50 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988); *RTC v. Hallmark Builders*,

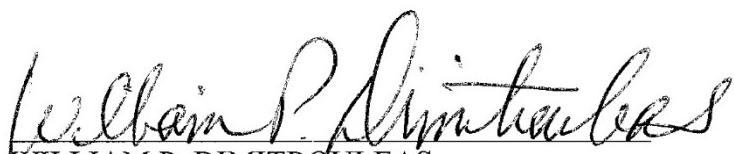
Inc., 996 F.2d 1144, 1149 (11th Cir. 1993).

Although no timely objections were filed, the Court has conducted a *de novo* review of the Report [DE 32] and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge's analysis and conclusions.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 32] is hereby **ADOPTED** and **APPROVED**;
2. Defendants' Amended Motion to Compel Arbitration and Dismiss Complaint [DE 24] is **DENIED**;
3. Plaintiff's Motion to Stay Proceedings Pending Resolution of Arbitration Proceedings or in the Alternative Plaintiff's Response to Defendants' Motion to Dismiss [DE 26] is **GRANTED**;
4. The parties are hereby **COMPELLED** to arbitrate the claims Plaintiff pled in the Complaint;
5. This action is hereby **STAYED** pending arbitration;
6. The Clerk is **DIRECTED** to **ADMINISTRATIVELY CLOSE** this case and **DENY AS MOOT** any pending motions.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this 5th day of September, 2024.



WILLIAM P. DIMITROULEAS
United States District Judge

Copies to:
Counsel of record
Magistrate Judge Hunt